

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Jingyue Ju  
U.S. Serial No. : 10/591,520  
International  
Filing Date : March 3, 2005  
For : PHOTOCLEAVABLE FLUORESCENT  
NUCLEOTIDES FOR DNA SEQUENCING ON  
CHIP CONSTRUCTED BY SITE-SPECIFIC  
COUPLING CHEMISTRY

1185 Avenue of the Americas  
New York, New York 10036  
May 7, 2007

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following items which are listed on the attached Form PTO-1449 (**Exhibit A**). Items 1-50 are U.S. Patents or U.S. Patent Application Publications. As permitted by 37 C.F.R. 1.98(a)(2)(ii), no copies of these items are included herewith. Copies of references 51-149 are attached hereto as Exhibits 1-99, respectively.

1. U.S. Patent No. 4,824,775, issued April 25, 1989, Dattagupta;
2. U.S. Patent No. 5,118,605, issued June 2, 1992, Urdea;
3. U.S. Patent No. 5,174,962, issued March 3, 1999, Ju;

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**Exhibit B**

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4. U.S. Patent No. 5,599,675, issued February 4, 1997, Brenner;
5. U.S. Patent No. 5,654,419, issued August 5, 1997, Mathies;
6. U.S. Patent No. 5,728,528, issued March 17, 1998, Mathies;
7. U.S. Patent No. 5,763,594, issued June 9, 1998, Hiatt et al.;
8. U.S. Patent No. 5,770,367, issued June 23, 1998, Southern;
9. U.S. Patent No. 5,789,167, issued August 4, 1998, Konrad;
10. U.S. Patent No. 5,804,386, issued September 8, 1998, Ju;
11. U.S. Patent No. 5,808,045, issued September 15, 1998, Hiatt et al.;
12. U.S. Patent No. 5,814,454, issued October 29, 1998, Ju;
13. U.S. Patent No. 5,834,203, issued November 10, 1998, Katzir;
14. U.S. Patent No. 5,849,542, issued December 15, 1998, Reeve et al.;
15. U.S. Patent No. 5,853,992, issued December 29, 1998, Glazer;

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16. U.S. Patent No. 5,869,255, issued February 9, 1999, Mathies;
17. U.S. Patent No. 5,872,244, issued February 16, 1999, Hiatt et al.
18. U.S. Patent No. 5,876,936, issued December 29, 1992, Ju ;
19. U.S. Patent No. 5,885,775, issued March 23, 1999, Haff et al.;
20. U.S. Patent No. 5,945,283, issued August 31, 1999, Kwok;
21. U.S. Patent No. 5,952,180, issued September 14, 1999, Ju;
22. U.S. Patent No. 6,028,190, issued February 28, 2000, Mathies;
23. U.S. Patent No. 6,046,005, issued April 4, 2000, Ju;
24. U.S. Patent No. 6,074,823, issued June 13, 2000, Hubert;
25. U.S. Patent No. 6,136,543, issued October 24, 2000, Anazawa et al.;
26. U.S. Patent No. 6,197,557, issued March 6, 2001, Markarov et al.;
27. U.S. Patent No. 6,214,987, issued April 10, 2001, Hiatt et al.;
28. U.S. Patent No. 6,218,118, issued April 17, 2001, Sampson;

29. U.S. Patent No. 6,232,465, issued May 15, 2001, Hiatt et al.;
30. U.S. Patent No. 6,312,893, issued November 6, 2001, Van Ness et al.;
31. U.S. Patent No. 6,316,230, issued November 13, 2001, Egholm;
32. U.S. Patent No. 6,361,940 issued March 26, 2002, Van Ness et al.;
33. U.S. Patent No. 6,613,508, issued September 2, 2003, Ness et al.;
34. U.S. Patent No. 6,627,748, issued September 30, 2003, Ju et al.;
35. U.S. Patent No. 6,664,079 issued December 16, 2003, Ju et al.;
36. U.S. Patent No. 6,664,399, issued December 16, 2003, Sabesan;
37. U.S. Patent No. 6,787,308, issued September 7, 2004, Balasubramanian et al.;
38. U.S. Patent No. 6,833,246, issued December 21, 2004, Balasubramanian;
39. U.S. Patent No. 7,057,026, issued June 6, 2006, Barnes et al.;

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40. U.S. Patent No. 7,074,597, issued July 11, 2006, Ju;
41. U.S. Application Publication No. 2002/0168642 A1,  
published November 14, 2002 (Drukier);
42. U.S. Application Publication No. 2003/0008285 A1,  
published January 9, 2003 (Fischer);
43. U.S. Application Publication No. 2003/0022225 A1,  
published January 30, 2003 (Monforte et al.);
44. U.S. Application Publication No. 2003/0027140, published  
February 6, 2003 (Ju et al.);
45. U.S. Application Publication No. 2003/0044871, published  
March 6, 2003 (Cutsforth et al.);
46. U.S. Application Publication No. 2004/0185466, published  
September 23, 2004 (Ju et al.);
47. U.S. Application Publication No. 2005/0032081, published  
February 10, 2005 (Ju et al.);
48. U.S. Application Publication No. 2006/0057565, published  
March 16, 2006 (Ju et al.);
49. U.S. Application Publication No. 2006/0252938, published  
November 9, 2006 (Sava et al.);
50. U.S. Application Publication No. 2006/0003352, published  
January 5, 2006 (Lipkin et al.);
51. PCT International Publication No. WO 91/06678, May 16,  
1991 (**Exhibit 1**);

52. PCT International Publication No. WO 00/53805, September 14, 2000 (**Exhibit 2**);
53. PCT International Publication No. WO 01/92284, December 6, 2001 (**Exhibit 3**);
54. PCT International Publication No. WO 01/27625 A1, published April 19, 2001 (**Exhibit 4**);
55. PCT International Publication No. WO 02/079519 A1, published October 10, 2002 (**Exhibit 5**);
56. PCT International Publication No. WO 02/22883 A1, published March 21, 2002 (**Exhibit 6**);
57. PCT International Publication No. WO 02/29003, published April 11, 2002 (**Exhibit 7**);
58. PCT International Publication No. WO 04/007773, published January 22, 2004 (**Exhibit 8**);
59. PCT International Publication No. WO 04/055160, published January 22, 2004 (**Exhibit 9**);
60. PCT International Publication No. WO 05/084367, published September 15, 2005 (**Exhibit 10**);
61. PCT International Publication No. WO 06/073436, published July 13, 2006 (**Exhibit 11**);
62. PCT International Publication No. WO 07/002204, published January 4, 2007 (**Exhibit 12**);

63. European Patent Application No. EP 0992511 A, Rapigene Inc., published April 12, 2000 (**Exhibit 13**);
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65. Badman, E. R. et al. (2000) A Parallel Miniature Cylindrical Ion Trap Array. *Anal. Chem.* 72:3291-3297 (**Exhibit 15**);
66. Badman, E. R. et al. (2000) Cylindrical Ion Trap Array with Mass Selection by Variation in Trap Dimensions. *Anal. Chem.* 72:5079-5086 (**Exhibit 16**);
67. Benson, S. C., Mathies, R. A. and Glazer, A. N. (1993) Heterodimeric DNA-binding dyes designed for energy transfer: stability and applications of the DNA complexes. *Nucleic Acids Res.* 21:5720-5726 (**Exhibit 17**);
68. Benson, S. C., Singh, P. and Glazer, A. N. (1993) Heterodimeric DNA-binding dyes designed for energy transfer: synthesis and spectroscopic properties. *Nucleic Acids Res.* 21:5727-5735 (**Exhibit 18**);
69. Burgess, K. et al. (1997) Photolytic Mass Laddering for Fast Characterization of Oligomers on Single Resin Beads. *J. Org. Chem.* 62:5662-5663 (**Exhibit 19**);
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71. Caruthers, M. H. (1985) Gene synthesis machines: DNA

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72. Chee, M. et al. (1996) Accessing genetic information with high-density DNA arrays. *Science* 274:610-614 (**Exhibit 22**);
73. Chen, X. and Kwok, P.-Y. (1997) Template-directed dye-terminator incorporation (TDI) assay: a homogeneous DNA diagnostic method based on fluorescence resonance energy transfer. *Nucleic Acids Res.* 25:347-353 (**Exhibit 23**);
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75. Griffin, T. J. et al. (1999) Direct Genetic Analysis by Matrix-Assisted Laser Desorption/Ionization Mass Spectrometry. *Proc. Nat. Acad. Sci. USA* 96:6301-6306 (**Exhibit 25**);
76. Hacia, J. G., Edgemon, K., Sun, B., Stern, D., Fodor, S. A., and Collins, F.S. (1998) Two Color Hybridization Analysis Using High Density Oligonucleotide Arrays and Energy Transfer Dyes. *Nucleic Acids Res.* 26:3865-6 (**Exhibit 26**);
77. Hyman, E. D. (1988) A new method of sequencing DNA. *Analytical Biochemistry* 174:423-436 (**Exhibit 27**);
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83. Lee, L. G. et al. (1992) DNA sequencing with dye-labeled terminators and T7 DNA polymerase: effect of dyes and dNTPs on incorporation of dye terminators and probability analysis of termination fragments. *Nucleic Acids Res.* 20:2471-2483 (Exhibit 33);
84. Lee, L. G. et al. (1997) New energy transfer dyes for DNA Sequencing. *Nucleic Acids Res.* 25:2816-2822 (Exhibit 34);
85. Li, J. (1999) Single Oligonucleotide Polymorphism Determination Using Primer Extension and Time-of-Flight Mass Spectrometry. *Electrophoresis*, 20:1258-1265 (Exhibit

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86. Liu, H. et al. (2000) Development of Multichannel Devices with an Array of Electrospray Tips for High-Throughput Mass Spectrometry. *Anal. Chem.* 72:3303-3310 (**Exhibit 36**);
87. Lyamichev, A. et al. (1999) Polymorphism Identification and Quantitative Detection of Genomic DNA by Invasive Cleavage of Oligonucleotide Probes. *Nat. Biotech.* 17:292-296 (**Exhibit 37**);
88. Metzker, M. L., et al. (1994) Termination of DNA synthesis by novel 3'-modified deoxyribonucleoside 5'-triphosphates. *Nucleic Acids Res.* 22:4259-4267 (**Exhibit 38**);
89. Olejnik, J., et al. (1995) Photocleavable biotin derivatives: a versatile approach for the isolation of biomolecules. *Proc. Natl. Acad. Sci. USA.* 92:7590-7594 (**Exhibit 39**);
90. Pelletier, H., Sawaya, M. R., Kumar, A., Wilson, S. H., and Kraut J. (1994) Structures of ternary complexes of rat DNA polymerase  $\beta$ , a DNA template-primer, and ddCTP. *Science* 264:1891-1903 (**Exhibit 40**);
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365 (**Exhibit 42**);

93. Rosenblum, B. B. et al. (1997) New dye-labeled terminators for improved DNA sequencing patterns. *Nucleic Acids Res.* 25:4500-4504 (**Exhibit 43**);
94. Ross, P. et al. (1998) High Level Multiplex Genotyping by MALDI-TOF Mass Spectrometry. *Nat. Biotech.* 16:1347-1351 (**Exhibit 44**);
95. Ross, P. L. et al. (1997) Discrimination of Single-Nucleotide Polymorphisms in Human DNA Using Peptide Nucleic Acid Probes Detected by MALDI-TOF Mass Spectrometry. *Anal. Chem.* 69:4197-4202 (**Exhibit 45**);
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101. Woolley, A. T. et al. (1997) High-Speed DNA Genotyping Using Microfabricated Capillary Array Electrophoresis Chips. *Anal. Chem.* 69:2181-2186 (**Exhibit 51**);
102. Fei, Z. et al. (1998) MALDI-TOF mass spectrometric typing of single nucleotide polymorphisms with mass-tagged ddNTPs. *Nucleic Acids Research* 26(11):2827-2828 (**Exhibit 52**);
103. Olejnik, J. et al. (1999) Photocleavable peptide-DNA conjugates:synthesis and applications to DNA analysis using MALDI-MS. *Nucleic Acids Res.* 27(23):4626-4631 (**Exhibit 53**);
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112. Jingyue Ju, et al., (1996) "Cassette labeling for facile construction of energy transfer fluorescent primers", *Nuc. Acids Res.* 24(6):1144-1148 (**Exhibit 62**);
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115. Buschmann et al., (1999) "The Complex Formation of  $\alpha,\omega$ -Dicarboxylic Acids and  $\alpha,\omega$ -Diols with Cucurbituril and  $\alpha$ -Cyclodextrin", *Acta Chim. Slov.* 46(3):405-411 (**Exhibit 65**);
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117. Lewis et al., (2002) "Click Chemistry in Situ: Acetylcholinesterase as a Reaction Vessel for the Selective Assembly of a Femtomolar Inhibitor from an Array of Building Blocks", *Angew. Chem. Int. Ed.*, 41(6):1053-1057 (**Exhibit 67**);
118. Seo et al., (2003) "Click Chemistry to Construct Fluorescent Oligonucleotides for DNA Sequencing", *J. Org. Chem.* 68:609-612 (**Exhibit 68**);
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120. Ikeda, K. et al., (1995) "A Non-Radioactive DNA Sequencing Method Using Biotinylated Dideoxynucleoside Triphosphates and Delta TTH DNA Polymerase" *DNA Research*, 2(31):225-227 (**Exhibit 70**);

121. Kim Sobin et al., (2002) "Solid Phase Capturable Dideoxynucleotides for Multiplex Genotyping Using Mass Spectrometry" Nucleic Acids Research, 30(16):e85.1-e85.6 (**Exhibit 71**);
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123. Supplementary European Search Report issued February 16, 2004 in connection with European Patent Application No. 01 97 7533 (**Exhibit 73**);
124. Supplementary European Search Report issued February 9, 2007 in connection with European Patent Application No. 03 76 4568.6 (**Exhibit 74**);
125. Supplementary European Search Report issued May 25, 2005 in connection with European Patent Application No. 02 72 8606.1 (**Exhibit 75**);
126. Supplementary European Search Report issued June 7, 2005 in connection with European Patent Application No. 01 96 8905 (**Exhibit 76**);
127. International Preliminary Examination Report issued on 3/18/05 in connection with PCT/US03/21818 (**Exhibit 77**);
128. International Preliminary Examination Report issued on 4/3/03 in connection with PCT/US01/31243 (**Exhibit 78**);
129. International Preliminary Examination Report issued on

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- 2/25/03 in connection with PCT/US01/28967 (**Exhibit 79**);
130. International Preliminary Examination Report issued on 3/17/03 in connection with PCT/US02/09752 (**Exhibit 80**);
131. International Preliminary Report on Patentability issued on 9/5/06 in connection with PCT/US05/006960 (**Exhibit 81**);
132. International Search Report issued 5/13/02 in connection with PCT/US01/31243 (**Exhibit 82**);
133. International Search Report issued 1/23/02 in connection with PCT/US01/28967 (**Exhibit 83**);
134. International Search Report issued 9/18/02 in connection with PCT/US02/09752 (**Exhibit 84**);
135. International Search Report issued 9/26/03 in connection with PCT/US03/21818 (**Exhibit 85**);
136. International Search Report issued 6/8/04 in connection with PCT/US03/39354 (**Exhibit 86**);
137. International Search Report issued 11/4/05 in connection with PCT/US05/06960 (**Exhibit 87**);
138. International Search Report issued 12/15/06 in connection with PCT/US05/13883 (**Exhibit 88**);
139. Written Opinion of the International Searching Authority issued 10/27/05 in connection with PCT/US05/06960 (**Exhibit 89**);



140. Written Opinion of the International Searching Authority issued 12/15/06 in connection with PCT/US05/13883 (**Exhibit 90**);
141. Elango, N. et al. (1983) "Amino Acid Sequence of Human Respiratory Syncytial Virus Nucleocapsid Protein" *Nucleic Acids Research*, 11(17):5941-5951 (**Exhibit 91**);
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143. Hafliger, D. et al. (1997) "Seminested RT-PCR Systems for Small Round Structured Viruses and Detection of Enteric Viruses in Seafood", *International Journal of Food Microbiology*, 37:27-36 (**Exhibit 93**);
144. Leroy, E.M. et al. (2000) "Diagnosis of Ebola Haemorrhagic Fever by RT-PCR in an Epidemic Setting", *Journal of Medical Virology*, 60:463-467 (**Exhibit 94**);
145. Kokoris, M. et al. (2000) "High-throughput SNP Genotyping With the Masscode System", *Molecular Diagnosis*, 5(4):329-340 (**Exhibit 95**);
146. Kim, S. et al. (2003) "Multiplex Genotyping of the Human  $\beta$ 2-adrenergic Receptor Gene Using Solid-phase Capturable Dideoxynucleotides and Mass Spectrometry", *Analytical Biochemistry*, 316:251-258 (**Exhibit 96**);
147. Haff, L. A. et al. (1997) Multiplex Genotyping of PCR Products with Mass Tag-Labeled Primers. *Nucleic Acids Res.* 25(18):3749-3750 (**Exhibit 97**);

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148. PCT International Publication No. WO 04/018497, published  
March 4, 2004 (**Exhibit 98**); and

149. PCT International Publication No. WO 04/018493, published  
March 4, 2004 (**Exhibit 99**).

This Supplemental Information Disclosure Statement supplements  
the information disclosure statement filed by applicant on  
September 1, 2006 in connection with the above-identified  
application.

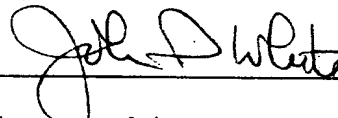
This Supplemental Information Disclosure Statement is being  
submitted under 37 C.F.R. §1.97(b). Applicant requests that  
the Examiner review the items listed and make them of record  
in the subject application.

If a telephone interview would be of assistance in advancing  
prosecution of the subject application, applicants'  
undersigned attorneys invite the Examiner to telephone them at  
the number provided below.

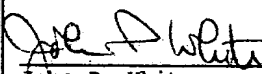
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No fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 John P. White Reg. No. 28,678	<u>5/7/07</u> Date

# **EXHIBIT A**